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REPLY UNDER 37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 2654

PATENT

AF/2700 #9B  
GIA  
6/26/03  
NE

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Ashby III et al.

Serial No. 09/747,274

Filed: December 21, 2000

For: APPARATUS, SYSTEM AND METHOD  
FOR RECORDING AND/OR  
RETRIEVING AUDIO INFORMATION

§ Group Art Unit: 2654  
§ Examiner: T. Smits

§ Atty. Dkt. No. 5007-00700

I hereby certify that this correspondence is being deposited  
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Alexandria, VA 22313, on the date indicated below:

June 17, 2003  
Date

Kevin L. Daffer

**RESPONSE AND AMENDMENT AFTER FINAL REJECTION**  
**PURSUANT TO 37 C.F.R. § 1.116**

MS: AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Dear Sir/Madam:

**RECEIVED**

JUN 23 2003

Technology Center 2600

This paper is submitted in response to the final Office Action mailed April 15, 2003. The undersigned wishes to thank Examiner Smits for the courtesies extended during the interview of June 17, 2003. During that interview, the amendments contained herein were discussed. It is Applicants' belief that the subject matter added to each of the independent claims in this amendment does not contain subject matter that would warrant a new examination. Specifically, the subject matter contained in this amendment was inserted merely to comply with requirements of form pursuant to 37 C.F.R. § 1.116. Reconsideration is respectfully requested. Please amend the case as follows.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 9 of this paper.